

mayor of said city, where every one of them shall be sworn by such mayor or other competent person to faithfully, truly and impartially assess the damages, if any, which in his judgment will be done to the property of every person named in the writ, and will also assess any special benefit, advantage or enhanced value which will be caused to the property of any person named in the writ.

291. *Procedure of jury.* Immediately after the jury shall have been so sworn they shall proceed, accompanied by such policeman, to view the land of every person named in the writ, and shall assess the damages, if any, to every one of the premises which they have viewed and the special benefit, advantage or enhanced value, if any, which will accrue by reason of said improvement to every one of the premises which they have viewed. Said jury shall forthwith return to said board, by filing it with the secretary-treasurer thereof, a statement in writing, signed by every one of them, or a majority of them, in case they cannot agree, setting forth distinctly a full itemized report of their proceedings, and stating separately the amounts of damages or special benefits, or both, as the case may be, which they have assessed to every one of the premises so viewed by them.

View of lands and assessment of damages and benefits.

Itemized report of proceedings.

292. *Jury kept together until agreement or for twenty-four hours.* The policeman in charge of said jury shall keep them together until they shall have agreed on all matters submitted to them, as aforesaid, and have made and signed their report as aforesaid, or, in case of their inability to so agree, or twenty-four hours from the time of their return from viewing said premises to said office of the mayor, to which they shall so return in every case immediately for deliberation, and until they have signed a report, as hereinafter specified upon any disagreement.

Jury kept together.

293. *Disagreement of jury.* If such jury shall be evenly divided, so that they are unable to agree on their report or any part thereof, they shall make and sign a report stating that fact, and setting forth such items as a majority of them have agreed upon, if any such there be, and the names of the persons as owners, and the particular premises in regard to the damage, special benefit or enhanced value of which they are evenly divided, or in regard to which a majority of them cannot agree, which report shall be filed in the same manner as the report hereinbefore provided for.

Report if jury fail to agree.

294. *Procedure of board on disagreement.* On receipt of any such report showing any disagreement of the jury, said board of commissioners shall, at its next meeting after the filing of such report, direct the mayor of said city to issue, and he shall thereupon issue, under the seal of said city, his order to a policeman of said city, to at once summon a new jury, qualified for such duty, as hereinbefore specified, and of the same number as hereinbefore directed, to be composed of different persons from those who constituted the jury so disagreeing, and such new jury shall proceed

New jury.

Consideration of items not agreed on.